



ABRAHAM, FRUCHTER & TWERSKY, LLP

November 29, 2022

By ECF Filing

Hon. P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 11D
New York, New York 10007-1312

Re: *In re SunEdison, Inc. Securities Litigation*, No. 1:16-md-2742-PKC
(S.D.N.Y.); *In re Terraform Global, Inc. Sec. Litig.*, No. 16-cv-07967-PKC
(S.D.N.Y.) (the “Class Action”)

Dear Judge Castel:

We are Lead Counsel for Plaintiffs in the above-referenced Class Action and write to update the Court, as directed by the Court’s May 24, 2022 order (ECF No. 755) about the status of the distribution of the Net Settlement Fund created by the Settlement of the Class Action.¹

In accordance with Your Honor’s May 24th Order, on June 17, 2022, Epiq, the Court-appointed Claims Administrator, informed us that it distributed the Net Settlement Fund to those Authorized Claimants who were previously identified by Epiq on the list submitted to the Court. As indicated on the checks, uncashed checks were scheduled to go stale by October 18, 2022. Epiq advises us that it began reaching out to claimants who did not cash their checks approximately one month prior to the stale date. As of November 16, 2022, Epiq reports that it has performed three rounds of outreach to those claimants who were sent checks that have been uncashed or were undelivered.

Epiq further reports as follows: the outreach it performed was by email and phone, if that information was provided; of the original 2,484 checks it issued, which had an aggregate value of approximately \$24.2 million, 375 checks remain uncashed with an aggregate value of approximately \$1.42 million; and the majority of these uncashed checks are for claims submitted by nominees. Any reissue request, as a result of Epiq’s last round of outreach, will be reissued by the end of November with a 30-day stale date.

¹ Unless otherwise defined, all capitalized terms used herein have the meanings as set forth in the Stipulation and Agreement of Settlement (the “Stipulation”) filed with the Court (ECF No. 265), as modified by the Settlement Modification Agreement dated September 19, 2019 (ECF No. 659-1), or as set forth in the Settlement Modification Agreement, or in the Notice of Pendency and Proposed Settlement of Class Action (ECF No. 315-1, Exhibit A). References to “ECF No.” are to the docket for *In re: SunEdison, Inc. Sec. Litig.*, No. 1:16-md-02742 (PKC) (S.D.N.Y.).

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Epiq states that, as provided by the Court when approving the distribution (*see* ECF No. 751, ¶ 3(e)), if a second distribution of the unclaimed funds is needed, it expects to be ready for such distribution by the end of January, 2023.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence D. Levit", written in a cursive style.

Lawrence D. Levit

cc: All counsel of Record (by ECF)